

**CONFEDERATED TRIBES  
OF THE  
COLVILLE RESERVATION**

**CHILD SUPPORT  
GUIDELINES**

Approved by

Resolution # 1997-758

*finalized & Adopted  
12/4/97*

## **TABLE OF CHILD SUPPORT OBLIGATIONS**

A basic child support obligation shall be set in each case from the combined monthly net income of both parents. Net income shall be determined using the inclusions and exclusions listed in Sections 1,2, and 3 below.

Selection of a basic child support obligation from within the applicable combined net income shall be made after consideration of the factors described in Sections below.

Responsibility for that obligation shall be allocated between both parents based on the standards described in Sections 4,5 below.

<b><u>Combined Monthly Net Income</u></b>	<b><u>Monthly Support Obligation Per Child</u></b>	
	<b>A</b> under 12 yrs. of age	<b>B</b> over 12 yrs. of age
Less than \$600	\$84	\$104
\$1000	140	173
\$1500	207	256
\$2000	271	334
\$2500	334	412
\$3000	356	440
\$3500	365	451
\$4000	386	478
\$4500	429	530
\$5000	468	579

**Section 1.**

**Items Included in Gross Income**

Gross "monthly" income shall be calculated by adding income received from all sources including:

- (1) Salaries;
- (2) Wages;
- (3) Commissions;
- (4) Revenue from sales of goods and products received in the normal course of business;
- (5) Deferred compensation;
- (6) Overtime;
- (7) Contract-related income;
- (8) Income from second jobs limited to obligated parent;
- (9) Dividends;
- (10) Interests;
- (11) Severance pay;
- (12) Annuities;
- (13) Capital gain;
- (14) Pension retirement benefits;
- (15) Workers' compensation;
- (16) Unemployment benefits;
- (17) Spousal maintenance actually received;
- (18) Bonuses;
- (19) Social Security benefits; SSA not SSI (see § 2 (5) )
- (20) Disability insurance benefits;
- (21) Gifts and prizes greater than or equal to \$250 in value.

**Section 2.**

**Items Disclosed But Not Included In Gross Monthly Income**

The following source of income and resources shall be disclosed but not included in gross income:

- (1) Income of a new spouse or income of other adults in the household;
- (2) Child support received from other relationships;
- (3) Gifts and prizes less than \$250 in value;
- (4) Aid to families with dependent children;—
- (5) Supplemental security income;
- (6) General assistance; and
- (7) Food stamps;
- (8) Trust Income;

Section 3.

**Deduction From Gross Income**

Net monthly income shall be calculated by deducting the following expenses from gross income.

- (1) Federal and state income taxes;
- (2) Federal, Tribal insurance contributions act deductions;
- (3) Mandatory pension plan payments;
- (4) Mandatory union or professional dues;
- (5) State industrial insurance premiums;
- (6) Court-ordered Spousal maintenance to the extent actually paid;
- (7) Up to two thousand per year in voluntary pension payments actually made;
- (8) Normal business expenses and self-employment taxes for self-employed persons. Justification shall be required for any business expense deducted about which is disagreement.

Section 4.

**Allocation of Support Obligation**

1. **Basic Allocation.** That basic support obligation shall be divided between the parents based on their relative net incomes, as those figures are calculated using the standards set forth above

- a). **Work-related Day Care Expenses.** Day care and special children rearing expenses are not accounted for in the table of child support obligations. Those expenses shall be shared by the parents in the same proportion as the basic child support obligation. The court may enter a child support order to include a duty to provide for Day care expenses.
- b). **Extraordinary Health Care Expenses.** Monthly health care expenses that exceed five percent of the basic support obligation are not accounted for in the table of child support obligations. Those expenses shall be shared by the parents in the same proportion as the basic child support obligation. The court shall take into account the availability of Indian Health Services care as an appropriate method to fulfill health care duties.
- c). **Residential Schedule.** The court may deviate from the basic support obligation if the child(ren) spend(s) a significant amount of time with the parent who is obligated to make the support transfer payment.
- d). **Possession of Wealth.** The court may deviate from the basic support obligation if one parent possesses significant wealth, including but limited to, savings, investments, real

estate holdings, business interests, vehicles, pleasure boats, pensions, bank accounts, insurance plans, or other assets.

- e). **Traditional or Custom, or Culture Services, Resources.** The court may deviate from the basic support obligation if one or both parents before the court provides traditional custom or culture services or resources to the support of the child(ren), such as fish, game, firewood, clothing, or other basic needs.
- f). **Health Care Needs.** Credit will be given to the paying parent by making an adjustment to the basic support obligation for the costs of medical insurance up to 5% of the basic support obligation. The court shall take into account the availability of Indian Health Service care, as other means, and as an appropriate method to fulfill health care duties. Either or both parents are required to maintain health insurance if reasonable cost for the dependent child's health care needs.

## Section 5.

### **Standards for Determining Support Obligation**

In order to determine a basic child support obligation from within the appropriate combined net income, the Court shall take into account any of the following factors that are relevant to the case. Each factor is a general standard or guideline to be followed in most situations. The Court may, however, deviate from the directive if the standard is not in the best interest of the child(ren). The Court may also deviate from the initially determined basic support obligation when the application of all of the factor below would dictate that the initial determination of the appropriate basic support obligation was too high and too low.

1. **Age(s) of the child(ren).** The obligation shall be set closer to the higher end of the basic support obligation for older children(B), and closer to the lower end of the basic support obligation for younger children(A). See Schedule.
2. **Number of children in family.** The obligation shall be lower per child the greater the number of children for which the obligation is being paid.
3. **Children from other relationships.** The obligations may be set at a lower figure than would otherwise be determined when either or both parents before the court have children from other relationship to whom the parent owes a duty of support and is actually providing support.
4. **Seasonal or non-reoccurring income.** If the income of either parent is seasonal or non-recurring, the obligation may be set at a lower figure than would otherwise be determined, or may be set on a schedule that varies the amount at different times of the year.

5. **Traditional, or Custom, or Cultural Services, Resources.** The obligation may be set at a lower figure than otherwise would be determined when either or both parents before the court provides in-kind services or resources to the support of the child(ren), such as fish, game, firewood, clothing, or other basic needs.
6. **In-kind Services, Resources From Extended Family or Community Members.** The obligations may be set at a lower figure than would otherwise be determined when extended family or community members provide food, clothing, shelter, or other basic needs for the child(ren).
7. **Disability Payments.** In applying any disability benefit the Court shall consider the actual life needs of the disability-party and the affect of the inclusion of such benefit or the disability party as well as the need of the child(ren).
8. **Other non-reoccurring income.** The obligation may be set at a lower figure, or future payments may be set at a lower figure to take into account the new reoccurring income derived from the time of disposition of assets. The support obligation may include a duty to share such non-reoccurring income when it is received, or provide a method for resolution adjustments.
9. **Child Support Modification.** Any order of child support may be modified upon a claiming of substantial changes in circumstances at anytime, and be modified when necessary to serve the best interest of the children, and when inconsistent between the existent child support award amount and the amount of child support which results from application of Tribal guidelines, be an adequate basis under Tribal law, once every two years without a showing of changed circumstances. Application for a modification should be made to the Tribal Court. This is not a limit to Tribal member's right to review and adjustment of child support.
10. **Deviation.** The decision maker will enter a written finding on the judicial or administrative proceeding for the record that the application of the guidelines would be unjust or inappropriate in a particular case but not limited to tribal custom and tradition which is common law of the Tribe. Findings that rebut the Tribal guidelines shall state the amount of support that would have been required under the guidelines and include a justification of why the order varies from the guidelines.

## Colville Tribes Child Support Schedule Worksheet

Mother \_\_\_\_\_ Father \_\_\_\_\_  
County \_\_\_\_\_ Tribal Court Case Number \_\_\_\_\_

Children and Ages: \_\_\_\_\_  
\_\_\_\_\_

<b>Part I: Basic Child Support Obligation</b>		
<b>1. Gross Monthly Income (See Guidelines, Sec. 1)</b>	<b>Father</b>	<b>Mother</b>
<b>a. Wages and Salaries</b>	<b>\$</b>	<b>\$</b>
<b>b. Commissions</b>	<b>\$</b>	<b>\$</b>
<b>c. Revenue From Sales of Goods and Products         Received in the Normal Course of Business         (Business Income)</b>	<b>\$</b>	<b>\$</b>
<b>d. Deferred Compensation</b>	<b>\$</b>	<b>\$</b>
<b>e. Overtime</b>	<b>\$</b>	<b>\$</b>
<b>f. Contract-related Income</b>	<b>\$</b>	<b>\$</b>
<b>g. Income From Second Job         (Limited to obligated parent)</b>	<b>\$</b>	<b>\$</b>
<b>h. Dividends</b>	<b>\$</b>	<b>\$</b>
<b>i. Interests</b>	<b>\$</b>	<b>\$</b>
<b>j. Severance Pay</b>	<b>\$</b>	<b>\$</b>
<b>k. Annuities</b>	<b>\$</b>	<b>\$</b>
<b>l. Capital Gains</b>	<b>\$</b>	<b>\$</b>
<b>m. Pension Retirement Benefits</b>	<b>\$</b>	<b>\$</b>
<b>n. Workers Compensation</b>	<b>\$</b>	<b>\$</b>
<b>o. Unemployment Benefits</b>	<b>\$</b>	<b>\$</b>

p.	Spousal Maintenance Actually Received	\$	\$
q.	Bonuses	\$	\$
r.	Social Security Benefits	\$	\$
s.	Disability Insurance Benefits	\$	\$
t.	Gifts and Prizes (greater than or equal to \$250 in value)	\$	\$
u.	Total Gross Monthly Income (add lines 1a through 1t)	\$	\$
2.	Monthly Deductions From Gross Income (See Guidelines, § 3)		
a.	Federal and State Income Taxes	\$	\$
b.	Federal, Tribal Insurance Contributions and Deductions	\$	\$
c.	Mandatory Pension Plan Payments	\$	\$
d.	Mandatory Union or Professional Dues	\$	\$
e.	State or Tribal Industrial Insurance Premiums	\$	\$
f.	Court-ordered Spousal Maintenance Actually Paid	\$	\$
g.	Up to \$2,000 per year in Voluntary Pension Payments Actually Made	\$	\$
h.	Normal Business Expenses and Self-Employment Taxes	\$	\$
i.	Total Deductions from Gross Income (add lines 2a through 2h)	\$	\$
3.	Monthly Net Income (line 1u minus line 2i)	\$	\$
4.	Combined Monthly Net Income (Add Father's and Mother's Net Incomes From line 3)	\$	



5.	Basic Child Support Obligation (Enter Total in Box →)		
	Child #1 _____ Child #3 _____		
	Child #2 _____ Child #4 _____		
6.	Proportional Share of Income (Each parent's net income from line 3 divided by line 4)	\$	\$
7.	Each Parent's Basic Child Support Obligation (Multiply each number on line 6 by line 5)	\$	\$
<b>Part II: Health Care, Day Care, and Special Child Rearing Expenses</b>			
8.	Health Care Expenses (See Guidelines, §4b, 4f)		
a.	Monthly Health Insurance Premiums Paid for Child(ren)	\$	\$
b.	Uninsured Monthly Health Care Expenses Paid for Child(ren)	\$	\$
c.	Total Monthly Health Care Expenses (Line 8a plus line 8b)	\$	\$
d.	Combined Monthly Health Care Expenses (Add Father's and Mother's totals from line 8c)	\$	
e.	Maximum Ordinary Monthly Health Care (Multiply line 5 times .05)	\$	
f.	Extraordinary Monthly Health Care Expenses (Line 8d minus line 8e, if "0" or negative enter "0")	\$	
9.	Day Care and Special Child Rearing Expenses (See Guidelines, §4a)		
a.	Day Care Expenses	\$	\$
b.	Education Expenses	\$	\$

c.	Long Distance Transportation Expenses	\$	\$
d.	Other Special Expenses (Describe)	\$	\$
e.	Total Day Care and Special Expenses (Add lines 9a through 9d)	\$	\$
10.	Combined Monthly Total of Day Care & Special Expenses (Add Father's and Mother's Totals from line 9e)	\$	
11.	Total Extraordinary Health Care, Day Care, Special Expenses (Line 8f plus line 10)	\$	
12.	Each Parent's Obligation for Extraordinary Health Care, Day Care, and Special Expenses (Multiply each number on line 6 by line 11)	\$	\$
13.	Standard Calculation Support Obligation (Line 7 plus line 12)	\$	\$
<b>Part III: Child Support Credits</b>			
14.	Child Support Credits		
a.	Custom or Cultural Services and Resources Credit (Describe)(See Guidelines, §5-5)	\$	\$
b.	In-kind Services Credit (Describe) (See Guidelines, §5-6)	\$	\$
c.	Indian Health Services Credit (For Part II,8; see Guidelines, §4b, 4f)	\$	\$
d.	Monthly Health Care Expenses Credit	\$	\$
e.	Day Care and Special Expenses Credit	\$	\$

f.	Other Ordinary Expense Credit (Describe)	\$	\$
g.	Total Support Credits (Add lines 14a through 14f)	\$	\$
h.	Total Allowable Credit Per Month (Subtract from line g 30% or 50% of Basic Support Obligation)	\$	\$
<b>Part IV: Net Monetary Obligation/Presumptive Transfer Payment</b>			
15.	Net Support Obligation (See Guidelines, §5) (Line 13 minus line 14h)	\$	\$
<b>Part V: Items Disclosed But Not Included in Gross Monthly Income</b>			
16.	Household Assets (List the estimated present value of all major household assets)	Father's	Mother's
a.	Real Estate	\$	\$
b.	Stocks and Bonds	\$	\$
c.	Vehicles	\$	\$
d.	Boats	\$	\$
e.	Pensions/IRAs/Bank Accounts	\$	\$
f.	Cash	\$	\$
g.	Insurance Plans	\$	\$
h.	Other (Describe)	\$	\$
		\$	\$
		\$	\$

<b>17. Household Debt</b> (List liens against household assets, extraordinary debt)	<b>Father's</b>	<b>Mother's</b>
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
<b>18. Other Household Income</b>		
<b>a. Income of Current Spouse (See Guidelines, §2-1)</b> (If not the other parent of this action) Name _____ Name _____	\$ \$	\$ \$
<b>b. Income of Other Adults in Household</b> (See Guidelines, §2-1) Name _____ Name _____	\$ \$	\$ \$
<b>c. Income of Children (If considered extraordinary)</b> Name _____ Name _____	\$ \$	\$ \$
<b>d. Income From Child Support Received From Other Relationship (See Guidelines, §2-2)</b> Name _____ Name _____	\$ \$	\$ \$
<b>e. Gifts and Prizes Less Than \$250 in Value</b> (See Guidelines, §2-3)	\$	\$
<b>f. Income From Aid to Families with Dependent Children (See Guidelines, §2-4)</b>	\$	\$

g.	Supplemental Security Income (See Guidelines, §2-5)	\$	\$
h.	General Assistance (See Guidelines, §2-6)	\$	\$
i.	Food Stamps (See Guidelines, §2-7)	\$	\$
j.	Trust Income (See Guidelines, §2-8)	\$	\$
k.	Other Income (Describe)	\$	\$
		\$	\$
		\$	\$
19.	Other Non-recurring Income (Describe) (See Guidelines, §5-4)	\$	\$
		\$	\$
20.	Child Support Paid For Other Children		
	Name/Age: _____	\$	\$
	Name/Age: _____	\$	\$

21. Children From Other Relationships Living In Each Household (See Guidelines, Sec. 5-3)  
(first names and ages)

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22. Disability Payments (See Guidelines, Sec. 5-7)

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23. Other Factors For Consideration (See Guidelines)

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**I declare, under penalty of perjury under the laws of the Colville Tribes, the information contained in these Worksheets is complete, true and correct.**

\_\_\_\_\_  
Mother's Signature

\_\_\_\_\_  
Father's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
City

\_\_\_\_\_  
Date

\_\_\_\_\_  
City

\_\_\_\_\_  
Judge/Reviewing Officer

\_\_\_\_\_  
Date

**This worksheet has been certified by the Colville Tribes Court Administrator.  
Photocopying of the worksheet is permitted.**

Combined Monthly Income	One Child Family		Two Children Family		Three Children Family		Four Children Family		Five Children Family	
	A	B	A	B	A	B	A	B	A	B
600	84	104	65	81	55	67	46	57	40	49
700	98	121	76	94	63	79	54	67	47	58
800	112	138	87	108	73	90	62	76	53	66
900	126	156	98	121	82	101	69	86	60	75
1000	140	173	108	134	91	112	77	95	67	82
1100	154	190	119	147	100	123	84	104	74	91
1200	167	207	130	161	108	134	91	114	80	99
1300	181	223	140	174	117	145	99	122	86	107
1400	195	240	151	187	126	156	107	132	93	115
1500	207	256	161	199	134	166	114	140	99	122
1600	220	272	171	211	143	176	121	149	105	130
1700	233	287	181	223	151	187	128	157	111	138
1800	246	303	190	235	159	197	134	166	117	145
1900	258	319	200	247	167	207	141	174	123	152
2000	271	334	210	259	176	217	148	183	129	160
2100	284	350	220	272	183	227	155	192	135	167
2200	296	366	230	284	192	237	162	200	141	175
2300	309	381	240	296	200	247	169	209	148	183
2400	321	397	249	308	208	258	176	218	154	190
2500	334	412	259	320	216	267	183	226	159	197
2600	339	419	264	325	220	272	186	230	162	200
2700	344	425	267	330	223	276	189	233	164	204
2800	348	431	271	334	226	279	191	236	166	206
2900	353	435	273	338	228	282	193	239	169	208
3000	356	440	277	341	231	285	195	241	170	210
3100	359	443	279	344	233	287	197	243	171	212
3200	361	447	280	346	234	290	198	245	173	213
3300	364	449	282	348	235	291	136	246	173	215
3400	364	450	283	350	236	292	200	247	174	216
3500	365	451	284	350	237	292	200	247	174	216
3600	366	452	284	351	237	293	201	248	175	217
3700	367	452	285	351	238	294	202	249	176	218
3800	369	456	287	354	239	296	202	250	176	218
3900	378	467	294	363	245	303	207	256	180	223
4000	386	478	300	370	251	310	212	262	185	228
4100	395	488	307	379	256	317	216	268	189	233
4200	405	500	314	388	262	324	222	273	193	239
4300	413	511	321	397	268	331	226	280	197	244
4400	421	521	327	404	273	338	231	285	201	249
4500	429	530	333	412	278	344	235	291	205	254
4600	437	540	339	419	283	350	239	296	209	258
4700	445	549	346	427	289	357	244	301	213	263
4800	452	560	351	435	294	363	248	306	216	268
4900	461	569	358	442	298	369	252	311	220	272
5000	468	579	364	449	304	376	256	317	224	277

This schedule is based on 63.44% of the Washington State Support Schedule  
 Okanogan/Perry County income average is 73% of the statewide average  
 22.25% of the Okanogan/Perry County income average.